

JUL 6 2004 5:38PM

PABST PATENT GROUP

RECEIVED
CENTRAL FAX CENTER

NO. 0676 P. 5

JUL 06 2004

OFFICIAL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Julie Straub, Howard Bernstein, Donald E. Checkering, III, Sarwat Khattak,
and Greg Randall

Serial No.: 09/706,045

Art Unit: 1617

Filed: November 3, 2000

Examiner: E. Webman

For: *POROUS DRUG MATRICES AND METHODS OF MANUFACTURE THEREOF*

Mail Stop Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

APPEAL BRIEF

Sir:

This is an appeal from the final rejection of claims 23-29 in the Office Action mailed October 15, 2003, in the above-identified patent application. A Notice of Appeal was filed on March 4, 2004. Submitted with this Appeal Brief is a Petition for Extension of Time to extend the period for response two months, to and including July 6, 2004. The Commissioner is hereby authorized to charge \$375.00, the fee for the filing of this Appeal Brief for a small entity (\$165.00), and the fee for a two-month extension of time for a small entity (\$210), to Deposit Account No. 50-3129. It is believed that no additional fee is required with this submission.

However, should an additional fee be required, the Commissioner is hereby authorized to charge the fee to Deposit Account No. 50-3129.

07/29/2004 HDENDY 00000004 503129 09706045

01 FC:2402 165.00 DA

45048530v1

1

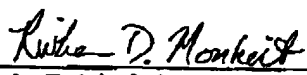
ACU 109 DIV (2)
07758600009

*See
Appendix*

U.S.S.N. 09/706,043
Filed: November 3, 2000
APPEAL BRIEF

Appellant submits that the claims 23-39 are patentable.

Respectfully submitted,


Rivka D. Monheit
Rivka D. Monheit
Reg. No. 48,731

Date: July 6, 2004

PABST PATENT GROUP LLP
400 Colony Square, Suite 1200
1201 Peachtree Street
Atlanta, Georgia 30361
(404) 879-2151
(404) 879-2160 (Facsimile)

45048530v1

10

ACU 109 DIV (2)
07758600009